

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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VIRGIN RECORDS AMERICA, INC.,  
a California corporation;  
CAPITOL RECORDS, INC.,  
a Delaware corporation;  
ARISTA RECORDS LLC,  
a Delaware limited liability company;  
INTERSCOPE RECORDS,  
a California general partnership;  
WARNER BROS. RECORDS, INC.,  
a Delaware corporation; and  
UMG RECORDINGS, INC.,  
a Delaware corporation,

Plaintiffs,

vs.

Jammie Thomas,

Defendant.

**MEMORANDUM OPINION  
AND ORDER**

Civil File No. 06-1497 (MJD/RLE)

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Andrew B. Mohraz, David A. Tonini, Richard L. Gabriel, Timothy M. Reynolds, Holme Roberts & Owen, LLP, and Felicia J. Boyd, Kara L. Benson, Laura G. Coates, Faegre & Benson LLP, Counsel for Plaintiffs

Brian N. Toder, Chestnut & Cambronne, PA, Counsel for Defendant

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**I. INTRODUCTION**

This matter is before the Court on five motions in limine. Defendant has filed responses and declarations in opposition to Plaintiffs' motions in limine. Plaintiffs, in turn, have filed responses opposing Defendant's

motions. Trial is scheduled to begin on Tuesday, October 2, 2007. The Court issues this Order to rule on two of the parties' motions in limine. The Court will hear oral argument regarding the remaining motions on the morning of trial.

Accordingly, based on the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Plaintiffs' Motion in Limine to Exclude Evidence Disputing Admitted Facts [Docket No. 68] is **DENIED**.
2. Defendant's Motion in Limine to Preclude the Admission of Plaintiffs' Trial Exhibit 4 [Docket No. 81] is **GRANTED**.
3. A decision on Plaintiffs' Motion in Limine to Preclude Defendant from Making Unfounded, Prejudicial Statements to the Jury [Docket No. 82], Defendant's Motion in Limine to Prohibit the Parties from Making Certain Allusions or References during Opening Statements [Docket No. 67], and Defendant's Motion in Limine to Preclude Evidence of Her Counsel's Motion to Withdraw [Docket No. 93] is **RESERVED** until oral argument is heard on these issues.

Dated: October 1, 2007

s / Michael J. Davis  
Judge Michael J. Davis  
United States District Court